HAROLD WEISBERG

7627 Old Receiver Rd.
Frederick, MD 21702

11/5/94

Tony Marro, editor
Newsday
Long Island, NY 11747

Dear Tony,

The head on your CJR review of News and the Culture of Lying, a chapter title you quote from Weaver's book and a phrase you quote from it, suggest I call to your attention that the chapter title and the phrase applies to Newsday and the head may reflect a prejudice by you and by two Newsday reporters. actually all the media.

In a sense, though, this head is relevant. It is ordinarily and quite indiscriminately used to refer to all who do not agree with the official "solution" to the JFK assassination. "How a News Story Lies" is appropriate to a remarkably unquestioning bit of high-school journalism by Jack Sirica. "Made-for-media-propaganda-action" fits his piece and a review by your Pulitzer reviewer whose name I've forgotten to whom a review of what without questions is the most intendedly dishonest book on the JFK assassination, a distinction not easily achieved, Gerald Posner's knowingly mistitled Case Closed, was assigned.

Please excuse my typing. I'm 81, am fortunate to be surviving a number of serious illnessees, and I rush because my time is not long and I've undertaken a large job, to perfect the record for our history of this succession of national tragedies that began with the assassination. If you have forgotten my credentials, I am the only one writing in the field who does not theorize, neither conspiracies nor non-conspiracies. The Department of Justice itself told the federal district court in which I'd filed the first case under the 1974 amended FOIA- with the legislative history showing that the amending of the investigatory files exemption is attributed to that case in earlier form- that I know more about the JFK assassination and its investigations than anyone working for the FBI. Copy if you want it.

The thrust of my writing, eight published books, one being stalled and two others in manuscript, is that in that time of great crisis and ever since then all the institutions of our society failed. Not that the media has ever thought of or addressed it that way. One of our basic institutions is the media. Newsday is part of it. And its failure to do its Constitutionally vital job if our form of democratic society is to continue is illustrated by these propaganda efforts to promote without mimimal checking or ever questioning the to me most disgusting of the overt commercializations and exploitations of those tragedies.

I was writing a long book, Inside the JFK Assassination Industry, when Posner's appeared. He'd spent three days here with his wife. His time, not mine. I have always done with all writing in the field, he had unsupervised and unrestricted acess to all I have. This begins with about a quarter of a million pages I got by a dozen or more FOIA lawsuits (which has rarely been news worthy, everyday as that is),

and it includes the unsupervised use of our copier. After reading his book I saw not only the most daring crookedness in it, I saw also a means of using it as a skeleton to flesh out with what did not require my access to all those records I let others copy. I'm feeble, am not allowed to lift more than 15 pounds and can't use the stairs to our basement where all those records are. So because of the incredible and never once questioned plaudits this rotten and disgusting book got and because it is a cheap prosecution type case, I decided to do a book on it instead. ~~Most~~ Much of what is critical of Posner and his book appeared, without any advertising or promotion in a badly butchered book, Case Open. What I did that was the defense brief was cut entirely. (If you know an interested publisher, he'd be welcome to it and it will be unprecedented in the field and comes 100% from the official evidence, to which my work is, again, almost 100% restricted.)

This may sound a bit strong to you so I report that, using his own publisher's definitions, I refer to Posner as a shyster, as a literary ~~thief~~ thief and, among other less than flattering descriptions, as a man who cannot tell the truth even by accident. And do I document all of this! The full manuscript, not complete typed, has 788 pages. It will be a record for history. The record includes the total abdication of all of the media, all components of it. I do hope that ~~for the future~~ you will be interested in this and learn from it for the future because your paper did a great amount of harm in deceiving and misleading the people and in protecting those in the government who failed so terribly and persist in doing that.

I've not heard a word from Posner or from Random House or from any lawyer speaking for them. Not did they make any response when my book was used in a lawsuit against them, when it was to their interest to deny a 40-page affidavit based on ~~that~~ my book. More if it interests you on this. Anchor/Doubleday bought the reprint rights in 1993 and a little more than a month ago it appeared. All that Posner can say about me in it is that with Case Open I got my first commercial publication. It is my fifth original commercial publication here and abroad, and he has and quoted from one, and counting reprints it is my 13th commercial publication. Not only did this not respond to a single thing I wrote in exposing him as the shyster and fraud he is and his book is, it proved all over again my saying that he can't tell the truth even by accident.

A friend tried to interest your Colford in reviewing my book (which has yet to have any mention of any kind in any of the media) or in a story on the incredible dishonesty of Posner's book. But for him to do that, as it would be for you now to do anything, would be to boast we suckered ourselves and I do not expect any mea culpas. At my friend's suggestion I sent Colford a copy of my book and wrote him, I've forgotten what. He did not have to ~~repo~~ respond and he didn't.

A few illustrations from Sirica's glorification of ~~the~~ that most contemptible of literary whores, first ~~repre~~ repeating Posner's boast of being a "Wall Street lawyer." He spent ~~a~~

two years or less fresh from law school doing the scut work of discovery for the Cravath firm. That is 100% of his Wall Street experience! And non-lawyers do that kind of work. No law degree is required, as I know from friends who have done it in major cases. A check of Lexis shows not a single case Posner ever took to court. He started a form that still bears his name but he does not practise law and that firm was never on Wall Street. But there may be one helluva story in a case in which he screwed his clients who were the victims of the greatest abuse in our lifetimes- by Mengele. He has at least four different versions of why he dropped that case, all false, and from what he had when he abandoned those children of Mengele's victims and some of them who outlived Mengele, is his book, Mengele. Check your computer on the New York law publications, for beginners. My copies are in the basemebt. I finished that work a year ago.

Sirica was overwhelmed by Posner's obvious lie that he had to index the Warren Commission's 26 volumes to be able to use them. He gave Sirica and Sirica, uncritically used, 1,000,000 words as the amount of indexing he had to do. In fact, there are ten times that many words he claims to have indexed. But if only the fractions, do your reporters have any idea how long it would take to make such an index? And he claims to have spent, in various versions, up to only two years working on his book and what else he had to read and all the travelling for those 200 interviews of which he boasts, and some of them are denied. Sirica did not ask to see that index, as any alert reporter should have. It is not possible to do that indexing in all the time Posner spent on his book, and I doubt it would have been visible in most apartments, it would take up so much space.

The basis of Posner's admitted answer to Oliver Stone and his movie is that Oswald was a born assassin. His book begins with that. Any checking would have disclosed that, without exception, his sources either did not say what he says they said or said under oath the exact opposite. This refers to what you should find in your morgue, the Commission testimony of Dr. Renatus Hartogs, the shrink who examined Oswald as a maladjusted truant of 10. Your morgue will show what Posner did not report, that the disreptable Hartogs was getting his sex free from his women patients until one of them took him to court. She was awarded $350,000. And if anyone had checked Hartogs' Commission testimoney, which Posner does cite in his end notes, it would have been obvious that Hartogs swore to the exact opposite and that Posner cites the pages on both sides of that page.

This is for openers, as much as I want to take time for, but I hope enough to get you to thinking and can lead you to believe that all about the JFK assassination is not theorizing or dirty tricks like the one Lane pulled on you in St. Louis. By the way, Patterson did become a source for me and what I got from the FBI made the Post Dispatch, to which I gave all that, four page-one stories it syndicated.

There is something I do add. Posner almost got the Pulitzer for history last year. The chairman of the panel that recommneded it complained. One paper carried that.

What a scandal that would have been! And what does it say about how non-fiction Pulitzers are awarded?

While I knew the odds were against many papers saying much about my book after all they'd said in their raves about Posner, I was disappointed not not one did and by any standard it is the most legitimate news about books. That such an intended fraud can be published and can be without a single legitimate critical review of which I know, and I've quite a few, save for one part of the Washington Post review says much about standards. And the Post then let him lie in his response it printed without comment.

Made-for-media propaganda can work, Tony, only if the media lets it work.

And for your thinking about the assassination, as other than conspiracy theories, has it occurred to you that whatever the intent of the assassin or assassins, it is always a de facto coup d'etat in a society like ours?

If I may make a suggestion to you as editor, as a learning experience for two experienced men who were taken in by that made-for-media-propaganda, Case Open is a short book and it is but a fraction of what I wrote. Ask them to reread what they wrote and read it. Perhaps next time they'll not be as anxious to sucker themselves.

What Randon House did was very brazen, but it figured the media right. There was no peer review, not any legitimate one in any event, and there was no checking at all.

Even the Inquirer ran an editorial ~~pris pria~~ praising Posner for going to all the trouble and expense of hiring Failure Analysis to do the so-called scientific work for him. That was part of his cribbing. After I exposed it he made a half-assed acknowledgement of his source in his reprint.

There is only one way in which the media can avoid being suckered and that is to do its traditional job in the traditional way, not ever casting itself in the flack role.

Best wishes, and please remember me to Les,

Harold

Harold Weisberg